IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 11185 of 1994

Between:

Sree Mahalakshmi Seeds & Oil Company
Bangalore Road, Anantapur rep by its
Managing Partner, Hemanth Kumar

..... PETITIONER

AND

Employees State Insurance Corporation,
Hill Fort Road, Adarshnagar
Hyderabad represented by its
Regional Director

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ more in the nature of a writ of Mandamus or any other appropriate writ order or direction declaring that the provisions of Employees State Insurance Act, 1948 as not applicable to the petitioner and to consequently refrain the respondent from demanding contributions under the E.S.I. Act from the petitioner and pass such other order or orders as this Honourable Court may deem fit and proper.

For the Petitioner:MR.V.VENKATARAMANA

For the Respondent No.: MR.VEMURI VENKATESWARA RAO

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The petitioner is questioning its liability for contribution under the Employees State Insurance Act, 1948.

As a matter of fact, the filing of writ petition is not the proper remedy since the petitioner has got adequate and efficacious alternate remedy under the provisions of the Act itself to raise any such dispute before the competent authorities.

In view of the same, with leave and liberty granted to the petitioner to approach the statutory authorities, the writ petition is dismissed.

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DEVINDER GUPTA,

CJ

18-6-2004

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G.ROHINI, J

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